IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

Criminal Writ Petition No. 381 of 2006

Office Notes, Office Memoranda of Coram, : Appearances, Court's orders or directions : Court's or Judge's orders and Registrar's orders.

Mr. N.S.Bhat, Advocate for the petitioner,
Mr. Y.B.Mandpe, APP for the respondents/State.

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CORAM : K. J. ROHEE &
C. L. PANGARKAR, JJ
DATED : SEPTEMBER 18, 2006

Heard.

2. A perusal of the impugned judgment shows that the appellant attacked Shantabai with an axe when she was proceeding along with prosecution witnesses Vithabai and Sonabai. It is true that there seems to be no previous criminal history in respect of the petitioner. It is also true that the murder appears to have been done in an individual capacity. However, from the judgment it is apparent that the murder was not in a moment of anger or without premeditation which are the requirements of Category 1 (a). Thus the categorization of the petitioner in 1 (d) appears to be correct. No interference is called for in the impugned order.

The petition is, therefore, dismissed in limine.

JUDGE **JUDGE**

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